

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (currently amended) A tool for marking a repetitive geometric pattern on a substantially vertical surface, the tool comprising:

(a) a substantially transparent plate including an outer face, an inner face, and outer edges forming a polygonal outer shape, the outer shape comprising at least a portion of the repetitive geometric pattern;

(b) a handle on the plate in a first location; ~~and~~

(c) a first level on the plate in a second location such that the plate is in a first preferred orientation for marking at least a portion of the geometric pattern on the substantially vertical surface when the first level indicates the plate is in a substantially level position; and

(d) a second level on the plate such that the plate is in a second preferred orientation for marking at least a portion of the geometric pattern on the substantially vertical surface when the second level indicates the plate is in a substantially level position.

2. (cancelled)

3. (original) A tool according to claim 1 wherein the polygonal shape is a rectangle.

4. (previously presented) A tool according to claim 3 wherein the rectangular plate includes a first edge having a first series of graduated markings therealong.

5. (original) A tool according to claim 4 further comprising a second edge including a second series of graduated markings therealong.

6. (original) A tool according to claim 3 wherein the longest edges of the rectangular plate are substantially vertical when the first level indicates the plate is in a substantially level position.
7. (original) A tool according to claim 2 wherein longest edges of the rectangular plate are substantially horizontal when the second level indicates the plate is in a substantially level position.
8. (original) A tool according to claim 1 further including marking pads affixed to the inner face of the plate, the marking pads being capable of at least temporarily retaining and transferring a marking material to the substantially vertical surface.
9. (original) A tool according to claim 8 wherein the marking pads are affixed to the inner face of the plate proximate to corners of the polygonal outer shape.
10. (original) A tool according to claim 8 wherein the marking pads comprise a foam material and the marking material is chalk or paint.
11. (original) A tool according to claim 1 wherein the inner face of the plate includes a substantially planar portion proximate to the outer edges of the plate.
12. (original) A tool according to claim 11 wherein the inner face of the plate further includes a concave portion, wherein only the substantially planar portion of the plate contacts the substantially vertical surface when the plate is positioned on the substantially vertical surface.
13. (original) A tool according to claim 1 wherein the handle is a knob that is sized and configured for grasping in the palm of a person's hand.
14. (original) A tool according to claim 13 wherein the knob includes at least one contoured recess sized and shaped to receive at least one finger of a person's hand when the knob is grasped in the palm of the person's hand.

15. (original) A tool according to claim 1 wherein the plate includes a first plate portion and a second plate portion, the first and second plate portions being separated by a seam, and at least one connector releasably connecting the first and second portions together such that the first and second portions are releasably joined at the seam and combine to form the polygonal outer shape.

16. (original) A tool according to claim 1 wherein the polygonal outer shape is a diamond.

17. (currently amended) A kit for enabling a person to mark a desired repetitive geometric pattern on a substantially vertical surface, the kit comprising:

(a) a tool comprising:

(i) a substantially transparent plate including an outer face, an inner face, and outer edges forming a polygonal outer shape, the outer shape comprising at least a portion of the repetitive geometric pattern;

(ii) a handle on the plate in a first location; ~~and~~

(iii) a first level attached on the plate in a second location such that the plate is in a first preferred orientation for marking at least a portion of the geometric pattern on the substantially vertical surface when the first level indicates the plate is in a substantially level position; and

(iv) a second level attached on the plate in a third location such that the plate is in a second preferred orientation for marking at least a portion of the geometric pattern on the substantially vertical surface when the second level indicates the plate is in a substantially level position; and

(b) instructional information including instructions for using the tool to mark a repetitive geometric pattern on a substantially vertical surface.

18. (original) A kit according to claim 17 wherein at least a portion of the instructional information is in a video format.

19. (original) A kit according to claim 17, the kit further comprising at least one painting product for decorating the substantially vertical surface.

20. (original) A kit according to claim 17 wherein the marking tool further includes marking pads affixed to the inner face of the plate, the marking pads being capable of at least temporarily retaining and transferring a marking material to the substantially vertical surface, and wherein the kit further comprises a quantity of marking material.

21. (original) A kit according to claim 20 wherein the marking pads are affixed to the inner face of the plate proximate to corners of the polygonal outer shape.

22. (currently amended) A tool for marking a repetitive geometric pattern on a substantially vertical surface, the tool comprising:

(a) a substantially transparent panel having a rectangular outer shape, an inner face, and a series of graduated markings along at least one outer edge of the plate;

(b) a handle on the panel in a first location that is configured for gripping the tool in a person's hand when the inner face of the plate is positioned against the substantially vertical surface;

(c) ~~at least one~~ a first spirit level on the tool in a second location for indicating ~~one or more preferred~~ a first level positions of the tool when the tool is placed against the substantially vertical surface;

(d) a second spirit level on the tool in a third location for indicating ~~one or more preferred~~ a second level positions of the tool different from the first level position when the tool is placed against the substantially vertical surface; and

~~(d)~~(e) a plurality of marking pads affixed to the inner face of the panel, at least one marking pad being affixed proximate to each corner of the rectangular outer shape, the marking pads being capable of at least temporarily receiving and retaining a marking material and transferring at least a portion of the marking material to the substantially vertical surface on contact with the surface.

23. (previously presented) A method of painting a repetitive pattern on a substantially vertical surface, the method comprising:

- (a) selecting a tool comprising :
  - i) a substantially transparent plate including an outer face, an inner face, and outer edges forming a polygonal outer shape, the outer shape comprising at least a portion of the repetitive geometric pattern;
  - ii) a handle on the plate in a first location; and
  - iii) a first level on the plate in a second location such that the plate is in a first preferred orientation for marking at least a portion of the geometric pattern on the substantially vertical surface when the first level indicates the plate is in a substantially level position;
- (b) selecting a starting location on the substantially vertical surface, and placing the substantially transparent on the surface at the starting location, wherein the tool is oriented such that the level indicates the tool is in the first preferred position;
- (c) marking a first geometric shape on the substantially vertical surface with a marking material, using the polygonal outer shape of the plate as a marking guide;
- (d) repositioning the tool to at least a second location on the substantially vertical surface, orienting the tool in the first preferred position, and marking one or more additional geometric shapes on the surface with a marking material, using the polygonal outer shape of the plate as a marking guide; and
- (e) painting a pattern on the substantially vertical surface using the marked shapes as a guide.

24. (original) A method according to claim 23 wherein the repetitive geometric pattern is a series of substantially vertical stripes and the polygonal outer shape of the substantially transparent plate is an elongated rectangle.

25. (original) A method according to claim 23 wherein the repetitive geometric pattern is a rectangular block pattern, and the polygonal outer shape of the substantially transparent plate is a rectangle.

26. (original) A method according to claim 23 wherein the tool further comprises a plurality of marking pads affixed to the inner face of the plate, the marking pads being capable of at least temporarily retaining and transferring a marking material to the substantially vertical surface, and wherein marking a first geometric shape on the substantially vertical surface with a marking material and using the polygonal outer shape of the plate as a marking guide includes loading the marking pads with a marking material and transferring at least a portion of the marking material from at least a portion of the marking pads to the substantially vertical surface when the tool is placed at the starting location.

27. (new) A tool for marking substantially parallel stripes on a substantially vertical surface, the tool comprising:

(a) a substantially transparent rectangular plate having opposed first and second side edges and opposed first and second end edges, wherein the plate has a length to width ratio of at least about 4 to 1;

(b) a first level on the plate configured to indicate when the first and second opposed side edges are substantially vertically oriented;

(c) a second level on the plate configured to indicate when the first and second opposed side edges are substantially horizontally oriented;

(d) a handle for manually gripping the plate;

(e) a first plurality of graduated marks along at least one of the first and second side edges; and

(f) a second plurality of graduated marks along at least one of the first and second end edges.